



District 6 Advisory Board Minutes

Monday, March 13, 2023 • 6:30 p.m.

Evergreen Community Center & Library • 2601 N. Arkansas, Wichita, KS 67204

Virtual Meeting Option • Zoom and [Facebook Live](#)

Order of Business

The District 6 Advisory Board meeting was held at 6:30 p.m. at the Evergreen Community Center and Library, 2601 N. Arkansas, Wichita, KS 67204. DAB members, staff/presenters, and residents also had the option to participate virtually via the platform Zoom, and the meeting was live-streamed on the District 6 Facebook page. Council Member Maggie Ballard, 7 DAB members, 8 City staff, and 10 members of the public were in attendance. The current agenda was approved.

Members Present

Scott Lucas
Bill Washburn
Angela Martinez (Zoom)
Zachary R Gingrich-Gaylord
Mark Lee Baker, II
Tom James
Javan Gonzalez

Members Absent

Sergio Devora-Najera
Lisa Tatum

Staff Present

Ana Lopez, Community Services
Representative, City Manager's Office
Officer K. Weidner, WPD
Officer J. Soto, WPD
Officer D. Stull, WPD
Officer F. Phommachanh, WPD
Anne Ethan, WPL
Jose Ocadiz, WFD
Christina Reith, MAPC

1. Wichita Fire Department

Staff shared district and city-wide statistics and department updates. Staff also discussed relevant public safety topics and answered questions from the DAB and public.

2. Wichita Police Department

Officers shared district and city-wide statistics and crime trends and department updates. Staff also discussed relevant public safety topics and answered questions from the DAB and public.

Officer Weidner, Patrol North shared updates about the burglaries in beat 49 and the arrest of a suspect.

Officer F. Phommachanh, Patrol West shared updates on the St. Paddy parade in Delano, Second Change Thursday on June 2023

Officer D. Stull, Patrol South reminded people to keep valuables locked in their trunk or to remove them from their vehicles when downtown.

DAB and members of the public asked questions and made comments about Red Dot Storage at 8th and Zoo Blvd and criminal activity happening in at the site,

3. Wichita Public Library Report

Anne Ethan, Evergreen Library Branch Manager shared updates, events and programs at the Evergreen Branch Library and the Advanced Learning Library.

If you need to apply for your passport, you now have two Wichita Public Library locations to process your paperwork. The Alford Branch at 3447 S. Meridian and now the Evergreen Branch at 2601 N. Arkansas. Call the branches to make your appointment at least 24 hours in advance. Appointment times are available at both locations noon-6:30 p.m. Monday-Thursday and noon-5 p.m. Friday-Saturday.

Wichita Public Library is working to help build awareness about the Affordable Connectivity Program (ACP), a Federal Communications Commission program. ACP helps ensure that households can afford the broadband they need for work, school, healthcare and more. Technology trainers and district community service representatives will be available at the Evergreen branch to help residents enroll for this program: March 17, 24 and 31, 1:30-5:30 p.m. To see if they qualify, residents should visit affordableconnectivity.gov for more information.

The Spring Gardening series put on by the Sedgwick County Master Gardeners begins April 4. In person programs are held on Tuesday evenings at the Alford Branch and virtual programs are on Thursday evenings on Zoom.

If you are looking to get rid of some books or want to see what other people are reading for the ReadICT challenge, you can come to the ReadICT book swap on Saturday, April 8, 10:30-12 at the Advanced Learning Library.

Four Saturdays in April, children grades K-5 will Sing the Songs of Moana. Teachers from Music Theatre Wichita will lead students through singing, dancing, and acting scenes from the film Moana. All experience levels are welcome. 10:30 a.m. on Saturday, April 1, 15, 22 and 29.

Recommended Action: Received and filed.

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Public Agenda

This portion of the agenda provided an opportunity for citizens to present issues that are not part of the regular agenda for the meeting.

4. Scheduled Items

4.1 Annexation of the area north of 29th and east of Amidon to the Little Arkansas River into the Benjamin Hills /Pleasant Valley Neighborhood Association.

Lea McCloud shared information on the annexation of a small area of residences to the Benjamin Hills /Pleasant Valley Neighborhood. Association.

5. Off-Agenda Items

There were no unscheduled public agenda items this month.

Recommended Action: Received and filed

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New Business

6. Proposed changes to City of Wichita Firework Ordinance:

In November of 2022, a fireworks committee was assembled to review historical challenges related to fireworks and explore possible solutions. On February 28th, 2023, the Wichita Fire Department presented a two-phased approach to the Wichita City Council outlining legalization of consumer aerial fireworks. Considerations included sales, possession, and display within the city.

Recommended Action: Provide feedback regarding proposed modifications to the City of Wichita fireworks ordinance.

Staff Report: [2023-03-13 DAB 6 Fireworks Staff Report.pdf \(wichita.gov\)](#)

Presentation: [Fireworks Review](#)

After a presentation from staff, DAB and members of the public made the following summarized comments and questions about the two different sale phases, the requirement of a permit. It was suggested that permitting should be localized by area and issue neighborhood associations a permit. Doing so would create more community accountability and neighborhood involvement. Assigning a specific area within a neighborhood for fireworks to take place and funneling information through neighborhood associations. It was asked if aerial fireworks are safe within city limits and whether the permit is specifically for aeriels or any firework. Most fires come from improper disposal and all fireworks regardless of the time period would require a permit. Permits are issued per property, and the issued to a person over the age of 18. Permits will be available to purchase online and will not be required to show when purchasing fireworks. Fines will be related to afterhours. It was expressed that it seems like residents who have been following rules will be penalized for shooting small fireworks and required to have a permit. Paying a \$1,000-dollar fee for not having a license seems little excessive. It shouldn't be automatic criminalization of people who want to do during the education phase. Could the permit could be just for aerial displays? The majority of the responses by the fire department are not related to aeriels but improper disposal. Members voiced concerns of the curfew being midnight on a weekday, toxic chemical residue and the environmental hazard. Considering the financial damages from previous years, the State should pass a law that would required firework seller to ID a person to verify if the fireworks being purchased can be shot where they live. There should be regulations that match reality.

7. ZON2023-00001

The Metropolitan Area Planning Department presented this case for consideration by the District Advisory Board. The applicant is requesting a zone change from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for a property addressed as 1606 West 20th Street North, which is generally located within one-block south of West 21st Street North, and within one-block east of North Woodrow Avenue. The purpose of the zone change request is to convert an existing structure

into a triplex.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request subject to Protective Overlay #406

Protective Overlay #406

1. The maximum number of dwelling units shall be three (3).
2. A site plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits. The site plan shall include the location of required parking spaces and the location of solid screening.
3. A landscape plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.
4. Required parking spaces shall not occupy any portion of the front setback.
5. Any additions to the existing structure or new buildings on site shall have compatible residential character to existing residential structures in the immediate vicinity with hip or gabled roofs. Building elevations shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

ZON2023-00001 Staff Report:

[2023-03-13 DAB 6 ZON2023-0001 MAPC Staff Report.pdf \(wichita.gov\)](#)

The DAB heard the request so that adjacent property owners and Wichita residents had an opportunity to express their concerns.

After the presentation by MAPD, DAB and members of the public asked and made the following summarized questions and comments:

C (DAB) Architecturally I don't see how it could be divided into three units.

Q (DAB) They're not looking to do construct a new structure; the applicant just wants to divide the existing structure?

A (Staff) Yes.

No further comments or questions from the public or agent, the discussion returns to the DAB for motion.

Action Taken: Javan Gonzalez made a motion to **APPROVE** staff's recommendation. The motion was seconded by Zachary R Gingrich-Gaylord.

MOTION APPROVED 7-0

8. ZON2023-00003 and CUP2023-00002

The Metropolitan Area Planning Department presented this case for consideration by the District Advisory Board. The applicant has three requests:

- 1) amend the Moorings Plaza II Community Unit Plan (CUP) DP-311;
- 2) amend Protective Overlay #234; and
- 3) a zone change to GO General Office District.

The subject site is 38.19 acres in size. However, the requested zone change only applies to 6.42 acres. The subject site is currently undeveloped, and the applicant has not specified what will be developed on the property.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared it is recommended that the request be **APPROVED**, subject to the following conditions:

1. The Development Guidelines shall be modified to read in accordance with the attached recommended text.
2. The site shall be developed in substantial conformance with the revised development guidelines and general provisions of the approved CUP.
3. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

ZON2023-00003 and CUP2023-00002 Staff Report: [2023-03-13 DAB 6 ZON2023-00003 and CUP2023-00002 MAPC Staff Report.pdf \(wichita.gov\)](#)

The DAB heard the request so that adjacent property owners and Wichita residents had an opportunity to express their concerns.

After the presentation by MAPD, DAB and members of the public asked and made the following summarized questions and comments:

C (Agent) Brian Lindback MKEC Engineering, we did have a well-attended neighborhood meeting with 70 to 80 people in attendance. The green portion of the property is intended to be for The Church of Jesus Christ of Latter-day Saints. Most of the questions that were at the neighborhood meeting revolved around aesthetics and height questions. At the MAPC meeting several residents were present, one spoke but non-had any objections. There was some misinformation about the protective overlay. The protective overlay remains on the lots.

Q (DAB) Will there be a light to help with the increase traffic?

A (Agent) No there will not be a traffic light at the location. The city can evaluate at such time that there's there are traffic complaints. There will be one more entry and exit which will alleviate traffic from the neighborhood.

No further comments or questions from the public or agent, the discussion returns to the DAB for motion.

Action Taken: Javan Gonzalez made a motion to **APPROVE** staff's recommendation. The motion was seconded by Tome James

MOTION APPROVED 7-0

9. ZON2023-00004

The Metropolitan Area Planning Department presented this case for consideration by the District Advisory Board. The applicant is requesting a zone change from SF-5 Single-Family Residential District and B Multi-Family Residential District to LC Limited Commercial District to bring an existing building into conformance. The subject site is approximately 0.40-acres in size and is generally located on the northeast corner of North West Street and West 8th Street North (824 North West Street).

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the request.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The subject area is generally characterized by commercial uses and zoning fronting North West Street, and residential uses and zoning abutting these to the east and west. Properties abutting the subject site to the north and west are zoned LC Limited Commercial District and are developed with a tax office and a strip retail center, respectively. South of the subject site is property zoned LC Limited Commercial District, also owned by the applicant, and previously used as storage for the fence contracting company. Farther south, directly abutting the storage area, are properties zoned LC Limited Commercial District and developed with multi-family residences. East of the subject site is property zoned SF-5 Single-Family Residential District, and developed with a single-family residence.
2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned SF-5 Single Family Residential District and B Multi-Family Residential District. The existing structure and use are illegal on the site as it is presently zoned.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The subject area is of a mixed-use character, and the residential neighborhood east of the site has existed abutting commercial uses along North West Street for a number of years. The screening and compatibility requirements should mitigate possible negative impacts to the adjacent residential neighborhood.
4. Length of time subject property has remained vacant as zoned: The property is not currently vacant. The commercial office was built in 1950 and the storage addition was constructed in 1990.
5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request represents a gain to the public in that it contributes to supporting economic opportunity in the area. However, any gain must be considered in light of the possible negative impacts on public welfare, including the adverse effects on neighboring properties due to light and noise pollution. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request is in conformance with the *Community Investments Plan* and the *Place for People Plan* as discussed in the staff report.
7. Impact of the proposed development on community facilities: An approval of this request should not generate any additional impact on community facilities. Existing infrastructure at the site will accommodate the proposed use.
8. Opposition or support of neighborhood residents: At the time of publication of the staff report, staff has received public comment via phone from one neighborhood resident. The resident stated concerns regarding the impacts various LC Limited Commercial District uses could have on the adjacent residential properties.

ZON2023-00004 Staff Report:

[2023-03-13 DAB 6 ZON2023-00004 MAPC Staff Report.pdf \(wichita.gov\)](#)

The DAB heard the request so that adjacent property owners and Wichita residents had an opportunity

to express their concerns.

After the presentation by MAPD, DAB and members of the public asked and made the following summarized questions and comments:

Q (DAB) How long has it been non-conforming?

A (Staff) I can't speak to that.

Q (DAB) Are there any consequences?

C (DAB) It was a residence with the steel buildings attached. It's been in used for years.

No further comments or questions from the public or agent, the discussion returns to the DAB for motion.

Action Taken: **Scott Lucas** made a motion to **APPROVE** staff's recommendation. The motion was seconded by **Javan Gonzalez**.

MOTION APPROVED 7-0

10. ZON2023-00006 and CUP2023-00003

The Metropolitan Area Planning Department presented this case for consideration by the District Advisory Board.

The applicant is requesting:

1. a zone change on the proposed Parcel 8 of CUP DP-323 from OW Office Warehouse District to GC General Commercial District; and
2. a Minor Amendment to the Moorings Plaza Fifth Community Unit Plan, CUP DP-323.

The subject site properties are 14.19 acres in size, are zoned OW Office Warehouse District and LC Limited Commercial District and are generally located on the west side of North Meridian Avenue, within one-quarter mile north of the K-96/I-235 interchange (4319 North Meridian). The applicant seeks to change the zoning on the proposed Parcel 8 from OW Office Warehouse District to GC General Commercial District, amend the provisions of the CUP, and amend the boundaries of the CUP.

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the amendment to CUP DP-323 and the zone change for Parcel 8 from OW Office Warehouse District to GC General Commercial District be **APPROVED** subject to the development guidelines of the amended CUP and the following conditions:

1. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
2. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

ZON2023-00006 and CUP2023-00003 Staff Report:

[2023-03-13 DAB 6 ZON2023-00003 and CUP2023-00002 MAPC Staff Report.pdf \(wichita.gov\)](#)

The DAB heard the request so that adjacent property owners and Wichita residents had an opportunity to express their concerns.

After the presentation by MAPD, DAB and members of the public asked and made the following summarized questions and comments:

C (Agent) Brian Lindback MKEC Engineering, there was initially some communications with MAPD. The recommendations for changes were made by the planning staff. It would be my request that DAB approve what's on the packet that I gave you with the amended revisions.

Q (DAB) Were there any protest petitions for this case?

A (Staff) No, I received a phone call or two from residents.

Q (DAB) What is the request changing?

C (Agent) The parcel is a little unusual shape and a little unusual to get to. We thought it might be a good idea that if someone wanted to purchase both parcels, they could certainly develop it as a multifamily parcel all together as one.

Q (DAB) Is the parcel far away from existing churches to allow a nightclub in the city.

A (Staff) In my opinion, yes.

C (Agent) The use would not be primary use, it would be secondary and more of an accessory use for a restaurant.

C (DAB) Residents in the area are interested in having an eating establishment.

Q (DAB) On the odd L shape parcel, is the intent to allow the neighbors to park RVs or boats or those kinds of things. Would it allow scrap cars storage?

A (Staff) No, because vehicle storage yard is different than junkyard salvage.

No further comments or questions from the public or agent, the discussion returns to the DAB for motion.

Action Taken: **Javan Gonzalez** made a motion to **APPROVE** staff's recommendation. The motion was seconded by **Bill Washburn**.

MOTION APPROVED 7-0

11. CUP2023-00007 and CUP2023-00008

The Metropolitan Area Planning Department presented this case for consideration by the District Advisory Board.

The applicant is requesting:

1. Amendment to CUP DP-353
 - a. Remove a 0.44-acre platted reserve to be incorporated in CUP DP-355;
 - b. Add 0.42-acres to Reserve A; and
 - c. Adjust internal parcel boundaries including adding additional parcels within the CUP boundary to reflect the platting of the Harbor Isle Commercial 2nd Addition.

2. Amendment to CUP DP-355
 - a. Remove a 0.42-acre portion of a platted reserve to be incorporated in CUP DP-353.
 - b. Add 0.44-acres to Reserve A; and
 - c. Adjust internal parcel boundaries including adding additional parcels within the CUP boundary to reflect the platting of the Harbor Isle Commercial 1st Addition

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the following:

- The amendment to CUP DP-353 be **APPROVED** subject to the development guidelines of the amended CUP and the following conditions:
 1. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
 2. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.
- The amendment to CUP DP-355 be **APPROVED** subject to the development guidelines of the amended CUP and the following conditions:
 1. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
 2. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

CUP2023-00007 and CUP2023-00008 Staff Report: [2023-03-13 DAB 6](#)
[CUP2023-00007 and CUP2023-00008 MAPC Staff Report.pdf \(wichita.gov\)](#)

The DAB heard the request so that adjacent property owners and Wichita residents had an opportunity to express their concerns.

After the presentation by MAPD, DAB and members of the public asked and made the following summarized questions and comments:

Q (DAB) Did the homeowners association have a discussion on this?

A (Staff) Not to my knowledge.

C (Agent) Baughman Company, P.A., this is more or less of a minor cleanup of a plat. The whole south part of the lake is zoned for commercial use. We might get some restaurants and shops and things along that corridor there adjacent to the interstate.

No further comments or questions from the public or agent, the discussion returns to the DAB for motion.

Action Taken: Bill Washburn made a motion to **APPROVE** staff's recommendation. The motion was seconded by Scott Lucas.

MOTION APPROVED 7-0

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Board Agenda

12. Updates, Issues, and Reports

Reports from the DAB on any activities, events, resources, issues, or concerns in the neighborhoods, council district, and/or city.

Council Member Ballard provided an update on the community engagement piece of the possibility of improvements to K-9 Rooster Meridian Park. Residents can participate during the next public meeting on April 5th at Evergreen Community Center and Library at 6:00 pm, or online at Forum. CM Ballard reminded residents the deadline to submit LIEAP applications is coming up on March 31, 2023.

Zachary R Gingrich-Gaylord, announced a running event at Exploration Place that takes place every Saturday. Being Women's history month, we are working with Girls on the Run to support that program through donations by participants. An upcoming river cleanup is also coming up.

Scott Lucas, announced Benjamin Hills/Pleasant Valley neighborhood association is having their annual clean up next month.

Recommended Action: Received and filed

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Adjournment

The meeting was adjourned at 8:14 p.m.

The next District 6 Advisory Board meeting is scheduled to be held at 6:30 p.m. on April 10, 2023 at the Evergreen Community Center & Library, 2601 N. Arkansas, and Wichita, KS 67204. Residents also have the option to participate in DAB meetings virtually via Zoom or to watch them live on the [District 6 Facebook page](#). Visit the [District 6 webpage](#) for the most up-to date meeting information. The meeting agenda and supplemental documents are posted to the webpage the Wednesday prior to the upcoming meeting.

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Guests

Barbara Stover
Terry McMiller
Ron Kinkor

Kurth B.
Mike Crosby
Brian Lindback

Lea McCloud
3 Virtual Attendees

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Respectfully submitted,
Ana Lopez, District 6 Community Services Representative